From: Carlos Gonzalez
To: Microsoft ATR
Date: 1/23/02 2:06pm
Subject: Microsoft Settlement

I am writing to express my disappointment with the proposed settlement against Microsoft, Inc. As a long-time software developer and computer user, it has been clear to me that Microsoft has been acting as a monopoly- I was pleased to see when the government came to this conclusion as well. However, the proposed settlement does not alleviate this problem, nor does it limit Microsoft from continuing much of the same monopolistic behavior it practices today.

I feel that any settlement needs to guarantee the ability of software developers to interface with the Microsoft operating system. Specifically, I was disappointed to read the definition of API being used in the settlement, as well as the limiting of what information Microsoft needs to publish about its operating system. There exist many loopholes that Microsoft could use to ensure that a third-party developer would not be able to bring their application to Windows due to incomplete documentation.

I also feel that any settlement needs to give an OEM free reign in terms of what software and operating system they place on their hardware. Again, loopholes exist in the settlement such that Microsoft could offer discounts to OEMs that ship their software exclusively. Also, licenses to developers seem to limit what they can work on to Windows-only software. There was also the well publicized case of the Microsoft Front Page license, which seemed to prohibit someone from working on a website that was critical of Microsoft.

Again, these issues will continue to exist if the proposed settlement is accepted. Please take the time to ensure that any settlement will actually prevent Microsoft's anti-competitive practices and will allow the computer industry to flourish. All I am asking is that two factors be considered:

1.) Developers should be able to create software that works with Microsoft's operating systems. This means they must have access to necessary documentation and be permitted to create applications which compete with Microsoft's own.

2.) Companies and individuals should be given the right to choose non-Microsoft software if they want. Locking in an OEM or a developer or a user to Microsoft-only solutions will only serve to strengthen Microsoft's monopoly.

Thank you for your time.

Carlos Gonzalez